AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America v. Ever NEVAREZ-Solis _____ *Defendant(s)*	))))))) Case No: 18mj 1670

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of <u>May 15, 2018</u> in the county of <u>Dona Ana</u> in the <u>State and</u> District of <u>New Mexico</u>, the defendant violated <u>8</u> U.S.C. §<u>1326(a)(1)/(b)(1)(Re-Entry After Deport Felon)</u>, an offense described as follows:

an alien, who had been previously arrested and deported from the United States, subsequent to being convicted of a felony, to wit: Operating while Intoxicated, and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, in the State and District of New Mexico, being willfully in the United States unlawfully

This criminal complaint is based on these facts:
On May 15, 2018, a United States Border Patrol Agent encountered the Defendant in Dona Ana County, New Mexico. The Agent questioned the Defendant as to his citizenship to which the Defendant stated that he was a citizen and national of Mexico present in the United States without Immigration Documents that would allow him to be or remain in the United States legally. Processing at the Santa Teresa Station revealed that the Defendant had been previously deported to Mexico via HARLINGEN, TX on or about November 9, 2011. This was subsequent to a felony conviction for "Operating while Intoxicated" in the state of Indiana on or about May 11, 2011. There is no evidence that the Defendant received permission from the Appropriate Authority to reapply for admission into the United States.

☐ Continued on the attached sheet.

_____
Complainant's signature

Giovanni A. Cisneros Border Patrol Agent
_____
Printed name and title

Sworn to before me and signed in my presence.

_____
Judge's signature

Date: May 17, 2018
_____

KEVIN R. SWEAZEA
U.S. MAGISTRATE JUDGE

City and state: Las Cruces, N.M.
_____
Printed name and title